

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

JOSHUA LEE CARROLL and)
WILLIAM CARTER KING,)
Plaintiffs,)
v.)
LAUREL WASIK, *et al.*,)
Defendants.)

No. 2:11-cv-0019
Judge Sharp
Magistrate Judge Bryant

ORDER

In this case brought by two former inmates of the Fentress County Jail¹, the Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket Entry No. 162), recommending that *Defendant Laurel Wasik’s Motion to Dismiss Claims by Plaintiff Carroll* (Docket Entry No. 118) be granted and Plaintiff Joshua Lee Carroll’s Complaint should be dismissed. Plaintiff Carroll filed no response in opposition.

The R & R provides, in part,

. . . the record includes numerous mailings to plaintiff Carroll that have been returned by the Post Office marked “not deliverable as addressed – unable to forward.”

Both plaintiffs were forewarned by the Court that their failure to keep the Clerk’s Office informed of their current address would jeopardize their prosecution of this action (Docket Entry No. 4 at 2-3). Despite this admonition, it appears from this record that plaintiff Carroll has failed to inform the Clerk of his current address and has otherwise failed to prosecute this action

(Docket Entry No. 162 at 1). No objections were made to the R & R.

¹ Plaintiff William Carter King is currently an inmate of the Whiteville Correctional Facility. *See* (Docket Entry No. 86). Plaintiff Joshua Lee Carroll is no longer located at the Fentress County Jail. *See* (Docket Entry Nos. 256 and 257, Notice and Rogers Declaration). Since Plaintiff Carroll has failed to notify the Court of his current address, his whereabouts are unknown.

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 162) is hereby ACCEPTED and APPROVED;
- (2) *Defendant Laurel Wasik’s Motion to Dismiss Claims by Plaintiff Carroll* (Docket Entry No. 118) is hereby GRANTED; and
- (3) Plaintiff Joshua Lee Carroll’s Complaint is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE